

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

GERALD A. SANFORD, SR.]	
Petitioner,]	
]	
v.]	No.3:12-1271
]	Judge Campbell
J.R. MILLER, Warden]	
Respondent.]	

O R D E R

The Court has before it a *pro se* prisoner petition (Docket Entry No.13) under 28 U.S.C. § 2254, for writ of habeas corpus.

The petitioner is an inmate at the Hardeman County Correctional Facility in Whiteville, Tennessee. He brings this action against J.R. Miller, Warden of the prison, challenging his conviction in Shelby County for first degree murder.

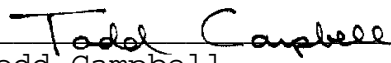
Venue for a § 2254 action is governed by 28 U.S.C. § 2241(d). That provision requires that a habeas corpus action be brought in either the judicial district of petitioner's conviction or the judicial district of his current incarceration.

In this case, the petitioner was convicted in Shelby County, which lies in the Western District of Tennessee. 28 U.S.C. § 123(c)(2). He is currently incarcerated in a penal facility in Hardeman County, which is also in the Western District of Tennessee. 28 U.S.C. § 123(c)(1). It therefore appears to the Court

that venue is not proper in this judicial district.

Accordingly, the Clerk is directed to TRANSFER this case to the United States District Court for the Western District of Tennessee, Western Division at Memphis, Tennessee. 28 U.S.C. § 1406(a).

It is so ORDERED.



Todd Campbell
United States District Judge